

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ERNESTO DARQUEA,	:	Civil Action No. 1:06-cv-00722 (RPP)
	:	(Consolidated)
Plaintiff,	:	
	:	<u>ELECTRONICALLY FILED</u>
vs.	:	
	:	<u>CLASS ACTION</u>
JARDEN CORP., et al.,	:	
	:	
Defendants.	:	
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NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, the Stipulation of Settlement with exhibits, and all prior proceedings had herein, Lead Plaintiffs, by and through their attorneys, hereby move the Court, before the Honorable Robert P. Patterson, United States District Judge, Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Room 24A, New York, NY 10007, for an order granting preliminary approval of the proposed settlement of this putative securities class action, pursuant to Federal Rule of Civil Procedure 23(e).

DATED: January 26, 2009

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 26, 2009.

s/ Robert M. Rothman

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